

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LAWRENCE K. BAERMAN
CLERK

JAMES T. FOLEY COURTHOUSE
445 BROADWAY, ROOM 509
ALBANY, NEW YORK 12207-2924
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January 26, 2006

Clerk, U.S. District Court
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

RE: USA v. Gary Fama
NDNY Case No. 1:06-mj-21 RFT
Eastern District of NY Case No. 00-cr-301-1

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT
★ JAN 30 2006 ★
BROOKLYN OFFICE

Dear Sir or Madam:

Enclosed please find certified copies of the following papers regarding the above named defendant:

1. WAIVER OF RULE 5 & 5.1 HEARINGS
2. COMMITMENT TO ANOTHER DISTRICT
3. DOCKET SHEET FROM NDNY
4. OTHER RELATED DOCUMENTS

Please acknowledge receipt of same by signing and dating the enclosed copy of this letter and returning it to the Clerk's Office in Albany, NY.

Thank you for your attention in this matter.

Sincerely yours,

LAWRENCE K. BAERMAN, CLERK

By: S/
Britney Norton
Deputy Clerk

Encs.

ACKNOWLEDGMENT: _____

**U.S. District Court
Northern District of New York [LIVE - Version 2.5] (Albany)
CRIMINAL DOCKET FOR CASE #: 1:06-mj-00021-RFT-ALL**

Case title: USA v. Fama

Date Filed: 01/23/2006

Assigned to: Magistrate Judge Randolph F. Treece

Defendant**Gary Fama (1)****Pending Counts**

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition**Plaintiff****USA**

Date Filed	#	Docket Text
01/23/2006	<u>1</u>	Rule 5(c)(3) Documents Received as to Gary Fama from Eastern District of NY. (ban) (Entered: 01/25/2006)
01/23/2006	<u>2</u>	WAIVER of Rule 5(c)(3) Hearing by Gary Fama (ban) (Entered: 01/25/2006)
01/23/2006	<u>3</u>	Minute Entry for proceedings held before Judge Randolph F. Treece :Initial Appearance/Rule 5 Hearing as to Gary Fama held on 1/23/2006/ Appearances by George Baird, FPD for Defendant, Ed Grogan AUSA for USA, and Pretrial Officer Joanne Defreest. Counsel appointed by the court. Defendant admitted he is the person wanted in the EDNY. Defendant signs Rule 5 Waiver. Detention hearing and Preliminary hearing waived (to be held in EDNY). Defendant remanded to the custody of the US Marshal (LO). (ban) (Entered: 01/25/2006)
01/23/2006	<u>4</u>	COMMITMENT TO ANOTHER DISTRICT as to Gary Fama. Defendant committed to Eastern District of New York. Signed by Judge Randolph F. Treece on 1/23/06. (ban) (Entered: 01/25/2006)

ECF DOCKETED
I certify that this is a printed
copy of a document which was
electronically filed with the
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK.
LAWRENCE K. BAERMAN, CLERK
Dated: 1-26-06
By: [Signature] Deputy Clerk

AO 94 (Rev. 8/97) Commitment to Another District

UNITED STATES DISTRICT COURT <div style="display: flex; justify-content: space-around; font-size: 1.2em;"> <u>Northern</u> District of <u>New York</u> </div>			
UNITED STATES OF AMERICA V. <div style="font-size: 1.5em; font-family: cursive;">Gary Fama</div>		COMMITMENT TO ANOTHER DISTRICT	
DOCKET NUMBER <small>District of Arrest District of Offense</small> <div style="display: flex; justify-content: space-between;"> <u>1:06-M-21 RFT</u> <u>00-CR-309-1</u> </div>		MAGISTRATE JUDGE CASE NUMBER <small>District of Arrest District of Offense</small> <div style="display: flex; justify-content: space-between;"> <u>1:06-M-21 RFT</u> <u>00-CR-309-1</u> </div>	
CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN <input checked="" type="checkbox"/> Indictment <input type="checkbox"/> Information <input type="checkbox"/> Complaint <input type="checkbox"/> Other (specify)			
charging a violation of _____ U.S.C. § _____			
DISTRICT OF OFFENSE Eastern New York			
DESCRIPTION OF CHARGES: <div style="text-align: center; font-size: 1.5em; font-family: cursive; margin-top: 10px;">Violation of Supervised Release</div>			
CURRENT BOND STATUS: <input type="checkbox"/> Bail fixed at _____ and conditions were not met <input type="checkbox"/> Government moved for detention and defendant detained after hearing in District of Arrest <input type="checkbox"/> Government moved for detention and defendant detained pending detention hearing in District of Offense <input type="checkbox"/> Other (specify) _____			
Representation: <input type="checkbox"/> Retained Own Counsel <input checked="" type="checkbox"/> Federal Defender Organization <input type="checkbox"/> CJA Attorney <input type="checkbox"/> None			
Interpreter Required? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Language: _____			
<div style="text-align: center; font-weight: bold;">ND DISTRICT OF NY</div> <p>TO: THE UNITED STATES MARSHAL</p> <p>You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <u>January 23, 2006</u> <small>Date</small> </div> <div style="text-align: center;"> _____ <small>United States Judge or Magistrate Judge</small> </div> </div> <div style="text-align: center; margin-top: 10px;"> RETURN </div>			
This commitment was received and executed as follows:			
DATE COMMITMENT ORDER RECEIVED		PLACE OF COMMITMENT	
DATE		DATE DEFENDANT COMMITTED	
UNITED STATES MARSHAL		(BY) DEPUTY MARSHAL	

I certify that this is a printed copy of a document which was electronically filed with the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK LAWRENCE K. BAERMAN, CLERK
 Dated: 1-26-06
 By: Bty Mnd Deputy Clerk

CRIMINAL MINUTES

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
ALBANY, NEW YORK
HON. RANDOLPH F. TREECE, presiding
UNITED STATES MAGISTRATE JUDGE

DATE: JANUARY 23, 2006

TIME: 2:10 P.M. - 2:25 P.M.

COURTROOM DEPUTY: ROBIN HINMAN

INTERPRETER: _____

(Certified / Non-certified)

LANGUAGE: _____

UNITED STATES OF AMERICA
vs.

DOCKET NUMBER: O6-M-21 RFT

GARY FAMA, by GEORGE BAIRD, Esq.

☒ Pub. Defender ☐ Retained ☐ CJA Assigned ☐ Waived

AUSA, ED GROGAN, for Government

PRETRIAL OFFICER(s): JOANNE DEFREEST

☒ INITIAL APPEARANCE

☒ REMOVAL/RULE 5 HEARING

☒ FINANCIAL Affidavit submitted

☒ DEFT Appears 1st time with Counsel ☒ COUNSEL appointed by COURT

☒ DEFT. Advised of rights, maximum penalty stated and given a copy of: ☒ Warrant/Indictment from ED/NY

☒ DEFT admits he is the person wanted in Eastern District of New York

☒ DEFT and COUNSEL Sign Waiver of Rule 5 & 5.1 Hearings

☒ DEFENSE ATTORNEY: ☒ WAIVES Detention Hearing, reserves right to reapply in the ED/NY
☒ WAIVES Preliminary Hearing (to be held in ED/NY)

☒ JUDGE signs Commitment to Another District

☒ DEFT. REMANDED to custody of the U.S. MARSHAL.

☐ LC ☒ LO (State, Local, Immigration/Naturalization Service or other Federal Authorities)

NOT DOCUMENT
certify that this is a printed
copy of a document which was
electronically filed with the
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
LAWRENCE K. BAERMAN, CLERK
Dated: 1-26-06
Bty Mt Deputy Clerk

United States District Court

Northern

DISTRICT OF

New York

UNITED STATES OF AMERICA

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint/Indictment)

V.

Gary Fama

Defendant

CASE NUMBER: 1:06-M-21 RFT

CHARGING DISTRICTS

CASE NUMBER:

00-CR-309-1

I understand that charges are pending in the Eastern District of New York
alleging violation of Supervised Release and that I have been arrested in this district and
(Title and Section)

taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- and paid*
- (☒) identity hearing
 - (☒) preliminary hearing
 - (☒) identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

G. Fama
Defendant

Jan. 23, 2006
Date

[Signature]
Defense Counsel

LCF DOCUMENT

certify that this is a printed
copy of a document which was
electronically filed with the
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK.
LAWRENCE K. BAERMAN, CLERK

Dated:

1-26-06

By:

Bty M...

Deputy Clerk